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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,332	08/14/2001	Ross A. Jeffery	1595-17/MBE	6683

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EXAMINER

SHEPARD, JUSTIN E

ART UNIT	PAPER NUMBER
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2424

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/928,332	Applicant(s) JEFFERY, ROSS A.	
	Examiner Justin E. Shepard	Art Unit 2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21,22,26,27,29,30,34 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21,22,26,27,29,30,34 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/19/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21, 22, 26, 27, 29, 30, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Hamlin in view of article "PBS' The Business Channel to Deliver video content to corporate desktops using Precept's IP/TV software" (known further as PBS).

Referring to claim 21, Adams discloses a system for redistributing a plurality of audio/video input signals to a plurality of communications interfaces over conductors, comprising:

a server (column 8, lines 24-25),

the server controlling an output channel selection of the input signals responsive (column 8, lines 7-12; figure 4; figure 7, part 112) to one or more control signals input into the communications interface (figure 7, part 119), and at least one processor for processing the signals for switching (column 9, lines 59-62), and

at least one switching device for routing the channel selection in the format of an internet protocol (column 8, lines 7-12), the switching device being controlled by the server responsive to one or more control signals input into the communications interfaces (column 9, lines 66-67; column 10, lines 1-8),

wherein the communications interface receives the channel selection for transmission to a receiving unit connected to the communications interface (column 10, lines 28-32).

Adams does not disclose a system with at least one demodulator for demodulating the input signals; and

wherein the input corresponds to a single user-selected channel; and

wherein the communication interface is a plurality of communication interfaces; and

outputting an output signal containing the user-selected channel to the one of plurality of communication interfaces.

Hamlin discloses a system with at least one demodulator for demodulating the input signals (figure 2).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the demodulator taught by Hamlin to the system disclosed by Adams. The motivation would have been to allow multiple inputs to be distributed over a single bus (column 3, lines 25-28).

Adams and Hamlin do not disclose a system wherein the input corresponds to a single user-selected channel; and

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wherein the communication interface is a plurality of communication interfaces;
and

outputting an output signal containing the user-selected channel to the one of plurality of communication interfaces.

In an analogous art, PBS teaches a system wherein the input corresponds to a single user-selected channel (paragraphs 1 and 3); and

wherein the communication interface is a plurality of communication interfaces (paragraph 6); and

outputting an output signal containing the user-selected channel to the one of plurality of communication interfaces (paragraph 5).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the IP/TV delivery method taught by PBS to the system disclosed by Adams and Hamlin. The motivation would have been to enable the to conserve bandwidth by grouping user's with the same channel requests onto the same multicast channel (PBS: paragraph 8).

Claim 29 is rejected on the same grounds as claim 21.

Referring to claim 22, Adams does not disclose a system of claim 21 in which the input signals are in different signal formats.

Hamlin discloses a system of claim 21 in which the input signals are in different signal formats (figure 2).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the demodulator taught by Hamlin to the system disclosed by Adams. The motivation would have been to allow multiple inputs to be distributed over a single bus (column 3, lines 25-28).

Claim 30 is rejected on the same grounds as claim 22.

Referring to claim 26, Adams does not disclose a system of claim 21 in which the communications interface includes a data interface for receiving data from a keyboard, joystick, card reader, bar code reader, or other data-providing device.

Hamlin discloses a system of claim 21 in which the communications interface includes a data interface for receiving data from a keyboard, joystick, card reader, bar code reader, or other data providing device (column 6, lines 9-12).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the IR remote control taught by Hamlin to the system disclosed by Adams. The motivation would have been that IR communication is a common way of transmitting control signals.

Claim 34 is rejected on the same grounds as claim 26.

Referring to claim 27, Adams discloses a system of claim 21 in which the communications interface includes a network interface for transmitting data from a computer as an input signal to the demodulator (figure 5, part 76).

Claim 35 is rejected on the same grounds as claim 27.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/
Supervisory Patent Examiner, Art
Unit 2424

JS